

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6687 of 2020**

Arising Out of PS. Case No.-289 Year-2018 Thana- SAUR BAZAR District- Saharsa

RATAN YADAV S/o Mahabir Yadav Resident of Village- Surmaha Bajrangi  
Tola, P.S.- Saurbazar, O.P.- Patarghat, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Ramchandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

4      01-06-2020                      The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in Sourbazar (Patarghat O.P.) PS Case No. 289 of 2018 registered under Sections 307/34 of the IPC and Section 27 of the Arms Act.

The prosecution case is that when the petitioner



was beating his wife the informant (neighbour) intervened. The second wife of the petitioner instigated the petitioner, whereafter the petitioner opened firing on the informant, which hit her knee.

Learned Counsel for the petitioner submits that the informant and the petitioner are neighbours. There is subsisting land dispute between them and as such the implication is based on extraneous consideration. The fire arm injury is on non-vital part of the body. The petitioner is in custody since 26.11.2019.

Learned APP has opposed the prayer for bail. It is submitted that the injury report was earlier called for. The same corroborates the allegation and inverted and everted injuries were found on the leg of the informant. The circumstances are such that the petitioner should not be allowed privilege of bail.

Considering the rival submissions, this Court, for the present, is not inclined to allow the prayer for bail on behalf of the petitioner.

This application is dismissed.

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**(Madhuresh Prasad, J)**

